

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**SAND CREEK POST & BEAM, INC., a  
Nebraska Corporation;**

**Plaintiff,**

**vs.**

**MITEL NETSOLUTIONS, INC., a Texas  
Corporation; and FULTON  
COMMUNICATIONS, Inc., a Georgia  
Corporation;**

**Defendants.**

**8:13CV220**

**ORDER OF DISMISSAL**

This matter is before the Court on Plaintiff Sand Creek Post & Beam, Inc.'s ("Sand Creek") Motion to Dismiss With Prejudice as to Defendant Mitel NetSolutions (Filing No. 35), and Sand Creek's Motion to Dismiss With Prejudice as to Defendant Fulton Communications, Inc. (Filing No. 36). Under Federal Rule of Civil Procedure 41(a)(1)(A), the Court finds that the Motions should be granted and that the above-captioned matter should be dismissed with prejudice as to the remaining defendants in this case, Defendants Mitel NetSolutions and Fulton Communications, Inc. Because all defendants have been dismissed, this case will be terminated. The Court will not assess costs or attorney's fees.

**IT IS ORDERED:**

1. Plaintiff Sand Creek Post & Beam, Inc.'s Motion to Dismiss With Prejudice as to Defendant Mitel NetSolutions (Filing No. 35) is granted;
2. Plaintiff Sand Creek Post & Beam, Inc.'s Motion to Dismiss With Prejudice as to Defendant Fulton Communications, Inc. (Filing No. 36) is granted;

3. The above-captioned matter is dismissed with prejudice as to Defendant Mitel NetSolutions and Fulton Communications, Inc.;
4. This case is terminated for statistical purposes; and
5. The Court will not assess costs or attorney's fees.

Dated this 14th day of July, 2014.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge